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Via CM/ECF

Hon. Jennifer E. Willis
United States District Court for the Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

**Re: *Azima, et al. v. Dechert LLP, et al.*, 1:22-CV-08728-PGG-JW;
Response to Defendants Amit Forlit's Request to Strike and
for Sanctions**

Dear Judge Willis:

In his response to Plaintiffs' Notice of Supplemental Authority, Defendant Amit Forlit does not deny that he was arrested in London on allegations of hacking. However, he requests that the Court strike the notice and impose sanctions on Plaintiff.

Plaintiff does not intend to respond substantively to Mr. Forlit's request to strike and for sanctions unless the Court wishes further briefing on this issue. However, for myriad reasons, striking the filing and imposing sanctions would be inappropriate. The arrest was detailed in press reports and Court filings, which are judicially noticeable. Fed. R. Evid. 201. Plaintiff's filing attached a U.K. court docket for Mr. Forlit's extradition hearing following his arrest "on a provisional warrant issued at the request of USA. Conspiracy to commit computer hacking." ECF 189-1. Moreover, Plaintiff did not notify the Court of this development to prove that the criminal allegations against Mr. Forlit are true. But Defendants have argued that the Complaint includes allegations that are not plausible, and the Court can take judicial notice of facts detailed in reliable sources such as a U.K. court docket, which undermine Mr. Forlit's argument.

For these reasons and more, the Court should deny Mr. Forlit's request to strike and for sanctions.

Respectfully,



Timothy P. O'Toole

cc: Counsel of Record (Via CM/ECF)